

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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TIMOTHY DONOVAN,

Plaintiff,

v.

KENNETH B. BLACK,

Defendant.

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ORDER

11-cv-516-wmc

The court will issue its decision on defendant's pending motion for summary judgment shortly. In anticipation of the upcoming trial, the court revises and adopts the following deadlines and guidelines on pre-trial submissions:

ORDER

IT IS ORDERED that:

- 1) on or before Friday, August 31, 2012 the parties shall provide opposing counsel and the court:
  - a) Rule 26(a)(3) disclosures.
  - b) Motions in limine.
  - c) A short, written narrative statement of each expert's background and experience. These statements will be read to the jury and no proof will be received on the matters covered unless an objection to the narrative statement is filed.
- 2) On or before Friday, September 7, 2012, the parties shall provide opposing counsel and the court:
  - a) Exhibit lists. Any exhibits not listed shall be excluded from admission into evidence except upon good cause shown.
  - b) A list of portions of depositions, to be offered into evidence at trial, by page and line references for witnesses unavailable at

trial. Extensive reading from depositions is strongly discouraged. Toward that end, the proponent of a deposition may -- though is not required to -- prepare a written narrative summary of some or all deposition transcripts the party intends to offer into evidence, with annotated page and line references in parenthesis after each sentence, in lieu of part or all of the narrative of questions and answers.

- c) Additional voir dire questions.
  - d) Proposed verdict forms.
  - e) Proposed jury instructions, including the briefing ordered above.
  - f) In addition to electronically filing voir dire questions, verdict forms and jury instructions, please submit to the court an electronic copy of each in Microsoft Word format to [wiwd\\_wmc@wiwd.uscourts.gov](mailto:wiwd_wmc@wiwd.uscourts.gov).
- 3) On or before Friday, September 14, 2012, the parties shall provide opposing counsel and the court:
- a) Responses to motions in limine.
  - b) Objections to exhibits.
  - c) Responses to opposing parties' voir dire questions, verdict forms, and jury instructions.
  - d) Objections and counter designations to proffered deposition designations.
- 4) Counsel are directed to consult in good faith and reach resolution on the admissibility of exhibits to the extent possible. Each party shall file copies of any *contested* exhibits they intend to offer with the court by 12:00 p.m. on Thursday, September 20, 2012.
- 5) The final pre-trial conference shall be held on Tuesday, September 25, 2012 at 4:00 p.m.
- 6) The trial shall commence Monday, October 1, 2012 at 9:00 a.m. The parties shall meet with the court at 8:30 a.m. that morning for any matters that need to be brought to the court's attention. The court notes that this trial may start later in the week, as other trials are also

scheduled to commence on Monday. The timing of this trial will be determined at the final pre-trial conference.

Entered this 17th day of August, 2012.

BY THE COURT:

/s/

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WILLIAM M. CONLEY  
District Judge